

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

IN RE:)	
)	
VINROY W. REID)	CASE NO. 18-31436
)	CHAPTER 13
Debtor.)	
_____)	

**OBJECTION TO CLAIM OF
NEW YORK STATE DEPARTMENT OF TAXATION AND FINANCE**

COMES NOW the Debtor, Vinroy W. Reid, through undersigned counsel, and files this objection to the claim of New York State Department of Taxation and Finance (hereinafter "New York Tax") filed in this case on 29 October 2018 as Clerk's Claim No. 4, filed as a priority claim for \$89,143.06, and an unsecured claim for \$15,392.37.

The Debtor believes that the alleged claim of New York Tax arises from the operation of a restaurant in the state of New York. However, the Debtor ceased any restaurant operations in New York in the year 2010, at the latest. The document attached to the Proof of Claim indicates that it is for the period ending 30 November 2016. Therefore, this claim should be denied as it appears to be an incorrect claim.

WHEREFORE, the Debtor prays that the Court enter its order disallowing Clerk's Claim No. 4 filed by the New York State Department of Taxation and Finance.

This the 3rd day of January, 2019.

/s/ R. Keith Johnson
R. Keith Johnson
Attorney for Debtor
NC State Bar No. 8840
1275 Highway 16 South
Stanley, NC 28164
(704)-827-4200

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NOTICE OF OPPORTUNITY FOR HEARING

NOTICE IS HEREBY GIVEN that the Debtor, by and through counsel, has filed an Objection to Claim of New York State Department of Taxation and Finance, a copy of which is enclosed herewith and incorporated by reference. Any response shall clearly identify the specific objection to which the response is directed, and it shall comply fully with Local Bankruptcy Rule 9013-1. Any response must be in writing and must be filed with the United States Bankruptcy Court, 401 West Trade Street, Charlotte, North Carolina, 28202, on or before thirty (30) days from the date of this notice, with a copy served on R. KEITH JOHNSON, attorney for the Debtor. In the event that a response or request for hearing is filed, the court will conduct a hearing of this matter on February 12, 2019, at 10:00 a.m. at the Charles R. Jonas Federal Building, Room 1-5, 401 W. Trade St., Charlotte, North Carolina, to consider the objection of the Debtor, and any responses.

This the 3rd day of January, 2019.

/s/ R. Keith Johnson
R. Keith Johnson
Attorney for Debtor
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CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that on the below date, the undersigned served a copy of the Objection to Claim of New York State Department of Taxation and Finance either electronically or by depositing, enclosed in a postpaid wrapper, properly addressed to the following parties in interest, at their last known addresses as shown below, in a post office or official depository under the exclusive care and custody of the United States Postal Service:

Vinroy W. Reid
P. O. Box 5035
Charlotte, NC 28299

John C. Woodman, Esq.
Sodoma Law
211 East Blvd.
Charlotte, NC 28203

Attn: David Pugliese
NYS Dept. of Taxation & Finance
Bankruptcy Section
P. O. Box 5300
Albany, NY 12205

This the 3rd day of January, 2019.

/s/ R. Keith Johnson
R. Keith Johnson
Attorney for Debtor
NC State Bar No. 8840
1275 Highway 16 South
Stanley, NC 28164
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